

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

NAKISHA JACKSON

CIVIL ACTION NO. 20-1626

VERSUS

JUDGE S. MAURICE HICKS, JR.

KRISTY WILSON

MAGISTRATE JUDGE HORNSBY

MEMORANDUM RULING

Before the Court is the Report and Recommendation of Magistrate Judge Hornsby recommending the dismissal of the present action for failure to state a claim upon which relief may be granted pursuant to Federal Rule of Civil Procedure 12(b)(6). For the following reasons, this Court **ADOPTS IN FULL** the recommendation of the Magistrate Judge and **DISMISSES** Plaintiff Nakisha Jackson's claims **WITH PREJUDICE**.

FACTUAL AND PROCEDURAL BACKGROUND

Plaintiff Nakisha Jackson's ("Jackson") instant complaint, which is one of four filed before this Court, alleges the Defendant, Ms. Kristy Wilson ("Wilson"), violated her civil rights and maliciously prosecuted her with protective orders. Wilson requested a protective order from the state court that directed Jackson to avoid contacting her.

Jackson's first federal suit was filed against the State of Louisiana, Judge Roy Brun, and Clerk of Court Mike Spence. The court dismissed Jackson's complaint for lack of jurisdiction with respect to the state and for failure to state a claim on which relief may be granted with respect to the claims against the judge and clerk. See Nakisha Jackson v. Roy Brun, et al., 19-cv-1006 (W.D. La.). Judgment was entered in September 2019, Jackson's appeal was dismissed for want of prosecution, see NaKisha Jackson v. Roy Brun, et al., 19-30828 (5th Cir. 2020), and her petition for writ of certiorari to the Supreme

Court was denied, see Nakisha Jackson v. Roy Brun, et al., 19-30828 (5th Cir. 2020), cert. denied (2020). Jackson then filed two motions to reconsider before Judge Elizabeth Foote in the district court. Judge Foote denied both motions and ordered that the clerk of court is not to accept any new filings in the matter without judicial approval. Jackson was also banned from email communication with the court outside of courtesy copy messages.

Jackson then filed a new civil action against Wilson and three others claiming malicious prosecution and less than \$75,000 in damages. The case was dismissed for lack of subject matter jurisdiction. See Nakisha Jackson v. Kristy Wilson, et al., 20-cv-0238 (W.D. La. 2020). Plaintiff filed three motions to reconsider, a motion to amend her complaint, and a motion for summary judgment. This Court denied all motions. See id. Plaintiff then filed the instant civil case, essentially amending her complaint from the prior suit. To date, Plaintiff has filed two additional suits in this Court alleging similar claims, see Nakisha Jackson v. 1st Judicial District Court of Caddo, 20-cv-1634 (W.D. La. 2020); see also NaKisha Jackson v. City of Shreveport, 21-cv-0276 (W.D. La. 2021), and she has filed multiple motions for “Miscellaneous Relief” in the present action. See Record Documents 5, 12, and 16.

LAW AND ANALYSIS

This Court agrees with the Magistrate Judge’s findings as to Jackson’s malicious prosecution, defamation, and perjury claims. Jackson has failed to provide some showing of fact to support all elements of a malicious prosecution claim. Further, Wilson has witness immunity from her testimony in the state court hearing for the protective orders.

Additionally, this Court **DENIES** Jackson’s outstanding Motion for Miscellaneous Relief (Record Document 16) as such filings are excessive and frivolous.

CONCLUSION

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, and concurring with the findings of the Magistrate Judge under the applicable law;

IT IS ORDERED that this civil action is **DISMISSED WITH PREJUDICE** for failure to state a claim on which relief may be granted.

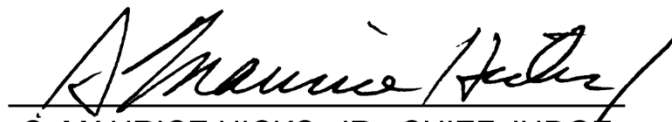
IT IS FURTHER ORDERED that Jackson's Motion Miscellaneous Relief be **DENIED** as frivolous.

Due to Jackson's pattern of excessive and frivolous filings which diminish this Court's judicial resources, **IT IS FURTHER ORDERED** that Jackson is barred from filing motions for reconsideration in this matter without first filing in the record a motion for leave to which the proposed pleading must be attached.

IT IS FURTHER ORDERED that Jackson is to have no more email communications with the Court except for sending courtesy copies of the pleadings she has filed in the record. Jackson's failure to comply with these orders will subject her to further sanctions.

A judgment consistent with the terms of the instant Memorandum Ruling shall issue herewith.

THUS DONE AND SIGNED, in Shreveport, Louisiana, on this the 23rd day of February, 2021.


S. MAURICE HICKS, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT